

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES: April 19, 2013
APPROVED: May 10, 2013

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was called to order at 8:45 a.m., **Friday, April 19, 2013**, at 8280 YMCA Plaza Drive, Building 8-B, Baton Rouge, LA 70810. Present were Board Members, Drs. Lee Matthews, Rita Culross, Marc Zimmermann, Darla Burnett; and, Executive Director, Kelly Parker. Dr. Pettigrew, Complaints Coordinator, was in attendance for the Complaint Reviews/Legal Matters discussion. Dr. Kim VanGeffen, representative of Louisiana Psychological Association, was also in attendance during the public hour.

Dr. Culross moved to accept the April 19, 2013 agenda. Zimmermann moved that the minutes of March 15, 2013 be accepted. Dr. Burnett moved that the minutes of March 28, 2013 be accepted.

Pursuant to **LSA R.S.42: 6.1(4)**, Dr. Matthews moved to enter Executive Session to review legal matters, conduct oral exams and file reviews. The motion passed by unanimous roll call vote of the members present as follows: Matthews –yay, Culross-yay, Zimmermann-yay and Burnett-yay.

Dr. Matthews moved to close Executive Session to enter the following:

Complaint Review/Legal Matters: Closed Session (LSA-R.S. 42:6.1):

- a. **P12-13-02C***: Dr. Culross addressed the Board regarding concerns about the dismissal of this matter from last month. Dr. Pettigrew and the Board carefully discussed the concerns. Dr. Culross moved to dismiss the matter and offer a letter of collegial advice. The board voted unanimously to accept the motion. Dr. Burnett provided language for the letter of advice.
- b. **P11-12-10C**: Dr. Pettigrew presented the case to the Board for consideration. The Board carefully considered the facts, reviewed the Investigator's Summary Findings and reviewed the proposed Consent Order. After thorough discussion of the issues and the Consent Order, Dr. Culross moved to accept the Consent Order and restrict the respondent's license indefinitely from providing forensic services until such time he submits credentials to the Board for review, to indicate competency to perform forensic services. The motion passed by roll call vote as follows: Matthews-yay, Burnett-yay, Culross-yay and Zimmermann-yay.
- c. **P11-12-11C***: Dr. Pettigrew presented the case to the Board for consideration. The Board carefully considered the facts and reviewed the Investigator's Summary of Findings. After a thorough discussion of the information presented, Dr. Zimmermann moved to dismiss the matter. The motion passed unanimously.
- d. **DS v. SS**: Dr. Pettigrew presented the case to the Board and recommended dismissal of the matter. The Board discussed the matter and the recommendation. Dr. Zimmermann moved to accept Dr. Pettigrew's recommendation and dismiss the matter without initiating a full investigation. The motion passed unanimously.
- e. **BRTC*(NP)**: Ms. Parker presented the Board with information submitted by the Louisiana Psychological Association concerning BRTC. The Board reviewed the information carefully. Dr. Pettigrew and the Board discussed the matter and noted

that there may have been previous files open regarding BRTC. The Board directed Ms. Parker to investigate the matter further and possibly call the DA's office for further assistance.

Oral Examinations:

Marsheena S. Murray, Ph.D. appeared before Drs. Matthews and Zimmermann for an oral examination. Dr. Zimmermann moved that the Board grant **Dr. Murray** a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously by vote of the full board.

Brittany C. Hernandez, Ph.D. appeared before Drs. Culross and Burnett for an oral examination. Dr. Burnett moved that the Board grant **Dr. Hernandez** a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously by vote of the full board.

Donna Boudreaux, Ph.D. appeared before Drs. Culross and Zimmermann for an oral examination. Dr. Culross moved that the Board grant **Dr. Boudreaux** a license to practice psychology with a general license. The Board discussed the recommendation and the motion passed unanimously by vote of the full board.

Linda S. Luther-Starbird, Ph.D. appeared before the full Board for an oral examination. Dr. Burnett moved that the Board grant **Dr. Luther-Starbird** a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously.

William V. McDermott, Ph.D., CPQ reciprocity candidate, successfully passed the Jurisprudence examination and met with Drs. Matthews and Burnett. Dr. Burnett moved that the Board grant **Dr. McDermott** a license to practice psychology with a specialty in Clinical Psychology. The Board discussed the recommendation and the motion passed unanimously by vote of the full board.

Supervision and Credentials Recommendations:

The Board reviewed the application for reinstatement of licensure file of Sister Sarah Ducey, Ph.D. The Board reviewed the contents of the file, the application, the continuing education log and the rule regarding reinstatement of a license. After careful consideration, the Board determined that Dr. Ducey did not meet the qualifications of reinstatement due to an inadequate number of continuing education credits. Dr. Matthews directed Ms. Parker to notify the applicant regarding the outstanding number of continuing education credits that were needed to complete the process.

The Board reviewed the application for reinstatement of licensure file of Mark S. Warner, Ph.D. The Board determined that Dr. Warner will need to complete a Criminal Background Check before completing the process for reinstatement.

Dr. Matthews reviewed the requests for Emeritus status of **Jerry L. Whiteman and William H. Costelloe**. Dr. Matthews moved to grant the Emeritus requests of Dr. Whiteman and Dr. Costelloe.. The motion passed by full vote of the Board.

Dr. Matthews reviewed and recommended the Board grant Temporary Registration to **Daniel H. Grant, Ph.D.** The motion passed by full vote of the Board.

Dr. Culross reviewed and recommended acceptance of the Supervised Practice Plans of: **Koren Boggs, Ph.D., Jennifer Maynard, Ph.D. and Megan Armstrong, Ph.D.** The motion passed unanimously.

Dr. Culross reviewed the Supervised Practice Plans of Linda Marks Hunter, Ph.D. Dr. Hunter submitted 3 plans for 3 different supervisors. Dr. Culross suggested that the work illustrated in the plans would require more than 1-hour per week of supervision. The Board carefully discussed the plans. Dr. Culross moved that the Board deny the plans as submitted but recommended a friendly change of at least 2 hours per week of supervision between 3 supervisors. The motion passed by full vote of the Board.

Committee Reports:

Finance Committee: Ms. Parker presented the Board with the weighted BA estimate prepared by Valerie Dominique, CPA. Ms. Parker explained that the weighted estimate was suggested after a meeting with LABAA representatives. The Board reviewed the weighted estimate (12.52%) and compared it to the original estimate based on the numbers provided by the Morrells (14%). Dr. Zimmermann moved to use the weighted estimate that suggests the BAs have an obligation of 12.52% of the shared resources and to reevaluate the costs annually. The motion passed by roll call vote of the Board members as follows: Matthews-yay, Culross-yay, Burnett-yay and Zimmermann-yay. The Board also discussed other concerns regarding the BA budget during the start up phase. Dr. Zimmermann moved that for the first year only, the Boards should reevaluate the cost calculation after the first six months of full operation. The motion passed unanimously.

Ms. Parker requested that Dr. Rita Culross, be added to the Neighbors Federal Credit Union Bank Accounts as well as the Chase Bank Accounts. Dr. Matthews moved to accept the request. The motion passed by full vote of the Board.

Oral Examination Committee: Dr. Culross reported that the Board approved 5 new licensees at today's meeting. Ms. Parker confirmed that there are 3 exams scheduled for May's meeting as well. Dr. Zimmermann moved to create a Case Vignettes Working Group. The motion passed unanimously.

Jurisprudence Examination Committee: The Board discussed issues with applicant's making copies of the Jurisprudence exam. The Board opined that applicants may keep a copy of the exam but only until the Board confirms receipt of the exam. The Board also opined that applicants must destroy the exam once it has been received in the Board's office. The Board suggested the instructions on the exam be modified to include this requirement.

Legislative Oversight Committee: The Board discussed bills that were filed for the 2013 Legislative Session that may impact psychology. The Board reviewed and discussed HB266, HB281, HB557, SB71 and SB134.

The Board reviewed and discussed changes to Chapter 9, Section 903. The suggested revision requires psychologists to elect and maintain an active email address on file with the Board office along with mailing and work contact information. Dr. Culross moved to implement the changes and proceed with the process to promulgate the rule change. The motion passed unanimously.

The Board reviewed and discussed changes to Chapter 10 Temporary License. The changes include removing the associating psychologist requirement, requiring a jurisprudence examination, limiting temporary registrations to 3 consecutive years and adding a section for military applicants pursuant to Act 276. Dr. Culross moved to implement the changes to Chapter 10 and proceed with the process to promulgate the rule change. The motion passed unanimously. Dr. Zimmermann moved that the Board form a Temporary Registration Workgroup to clarify issues involving telepsychology and temporary registration.

Ms. Parker noted that once the rule changes have been accepted and posted by the Louisiana Register, they will also be posted on the website for public comments.

Liaison to Professional Organizations and Boards: The Board thoroughly reviewed and discussed the draft Memorandum of Understanding between LSBEP and the anticipated BA board. Dr. Matthews directed Ms. Parker to provide the draft document and all comments to Board advisory counsel, Lloyd Lunceford, Esquire, for review and finalization.

Continuing Education: The Board reviewed and discussed the changes to Chapter 8. Dr. Zimmermann moved to accept the changes and move forward with the rule promulgation process. The motion passed by roll call vote as follows: Matthews-yay, Zimmermann-yay, Burnett-yay, Culross-yay.

Complaints Committee: There was no new report from the Board. Dr. Kim VanGeffen commented that LPA is now hosting an “ethics” listserve for its members. Dr. Zimmermann noted that he did not think it was a good idea to have psychologists advising other psychologists when they are not on the Board or may not interpret the law like the Board would. Dr. Burnett suggested that a disclaimer be added to any recommendations.

Long Range Planning Meeting: Dr. Matthews noted that he appreciated the participation of the public members at the Long Range Planning meeting. He encourages more licensees to participate next year. The Board briefly discussed having the Long Range Planning meeting and Awards Ceremony together in the Spring.

Provisional License Task Force: Dr. Burnett reported that invite letters were sent out for May 31, 2013. Dr. Kim VanGeffen mentioned that the date conflicts with LPA’s spring meeting. Dr. Burnett noted the conflict and agreed to reschedule. Ms. Parker reported that the members of the task force at the time of the meeting were: Dr. Burnett, Dr. VanGeffen(LPA), Dr. Julie Larrieu, and Dr. Chris

Garner. Dr. Burnett mentioned she would also reach out to Dr. Tony Young.

School Specialist Task Force: Dr. Culross reported that the meetings will begin in either June or July, a date has not yet been determined. Ms. Parker mentioned that Dr. Welsh and Dr. Conni Patterson are participating in the group. Ms. Parker also mentioned that Dr. Welsh provided the name of a colleague at Nicholls University. Dr. Culross requested that we attempt to include the NASP state representative.

Real Estate Workgroup: No new report.

Digital Maintenance Workgroup: The Board reviewed quotes for a new Toshiba copier. Dr. Culross moved to lease a new copier based on the information presented. The motion passed unanimously.

Discussion Items:

1. **LSBEP Draft Opinion – Special Accommodations:** The Board reviewed the draft opinion regarding Special Accommodations. This opinion was prepared based on the requests for accommodations to take the EPPP. The Board opined that any candidate with documented disabilities or impairments may be granted the opportunity to be tested under nonstandard conditions so long as appropriate supporting information is supplied to the Board along with the request for special accommodations. The LSBEP will recognize and accept supporting documentation from a current treating physician or psychologist who evaluated the individual within the past 3 years. It is the LSBEP's authority to review, approve and/or deny all requests for special accommodations. Dr. Matthews moved to adopt the opinion. The motion passed by unanimous vote.
2. **LSBEP Draft Opinion- Professional Wills:** The Board reviewed the draft Opinion. Dr. Zimmermann moved to table the matter until next meeting. The motion passed. The Board directed Ms. Parker to research additional areas in the opinions for their consideration.
3. **PEC Admissions:** Ms. Parker inquired with the Board regarding the Board's definition of "examination" in the case of a PEC admission. Ms. Parker inquired whether a telephone interview that contains explicit suicidal threat would be adequate to satisfy the "examination" definition so that a PEC could be executed. The Board discussed the topic and opined that the examination must be face-to-face not via telephone.
4. **2013-2014FY Contracts:** The Board discussed contracts for the next fiscal year. The Board elected to add an additional investigator position. Ms. Parker agreed to post the investigator position. Ms. Parker noted that contracts would be prepared for signature at the next Board meeting.
5. **New Hire-Administrative Assistant Position:** Ms. Parker informed the Board that Kerry Benton would replace Jacqueline Lively as the Board's Administrative Assistant. Ms. Parker reminded the Board that Ms. Lively's last day would be May 10th. Ms. Parker explained that Ms. Benton will start on April 29th and train with Ms. Lively for 2 weeks.

6. **New Business for May 2013:** No new business noted.

3:45 p.m. Adjourned.